

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, April 18, 2006

10:30 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico, Bieda and Virgil Smith.

MEMBERS ABSENT/EXCUSED: None.

Representative Nofs moved to adopt the minutes of the **March 29, 2006** meeting. The motion was supported by **Representative Jones**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter laid **HB 5142**, **HB 5143**, **HB 5153** and **HB 5548** before the committee:

HB 5142 Casperson Crimes; other; criminal forcibly entering or intruding into home or vehicle; allow person to use deadly force in self-defense.

HB 5143 Jones Crimes; other; right to self-defense and defense of others; clarify and provide for criminal and civil immunity under certain circumstances.

HB 5153 Mortimer Crimes; definitions; flight requirement; eliminate.

HB 5548 Moore Civil procedure; civil actions; civil action against person who uses force in compliance with self-defense act; prohibit and provide remedies.

TESTIMONY

Representative Jones, sponsor of HB 5143, explained his bill to the committee.

Representative Casperson, sponsor of HB 5142, explained his bill to the committee.

Representative Mortimer, sponsor of HB 5153, explained her bill to the committee.

Representative Moore, sponsor of HB 5548, explained his bill to the committee.

Darin Goens, representing the National Rifle Association (NRA), testified in support of the bills.

Chuck Perricone, representing the Michigan Coalition for Responsible Gun Owners (MCRGO), testified in support of the bills.

David Felbeck, Professor Emeritus of Mechanical Engineering at the University of Michigan and past president of Michigan Coalition for Responsible Gun Owners (MCRGO), testified in support of the bills and submitted written testimony.

Carol Hackett Garagiola, representing the Michigan Domestic Violence and Prevention Treatment Board, testified in opposition to HB 5143 and HB 5153, and opposes as written HB 5142 and HB 5548.

Brad Benzing, representing the Shooters Alliance for Firearms Rights (SAFR), testified in support of the bills and submitted written testimony.

Dr. Keith Rosol, a physician from Grand Rapids, testified in support of HB 5143 and submitted written testimony.

Sherri Masson, representing the Michigan Chapter of the Million Mom March, testified in opposition to the bills and submitted written testimony.

The following people submitted testimony cards in support of the bills and did not wish to speak:

Tim Ward, representing the Police Officers Association of Michigan.

Michael Kelly, representing the Shooters Alliance for Firearms Rights (SAFR).

David Wiles, representing the Shooters Alliance for Firearms Rights (SAFR).

Pam Benzing, representing the Shooters Alliance for Firearms Rights (SAFR).

Felix Li, representing the Shooters Alliance for Firearms Rights (SAFR) and the National Rifle Association (NRA).

Albert Lowe, representing the Michigan Pink Pistols.

Charles Nichol, representing himself.

Nicholas Sutliff, representing the National Rifle Association (NRA), Michigan Gun Owners (MGO) and Shooters Alliance for Firearms Rights (SAFR).

Ivey Adelman, representing himself.

The following people submitted a card indicating opposition to the bills:

Ervin Portis, representing the Michigan Association of Chiefs of Police.

Marilynn Spencer, representing herself.

Patricia Spitzley, representing the Michigan State Bar, states that while this position does not apply to all of the legislation, the state bar actively opposes those provisions that would eliminate judicial discretion concerning payment of fees and costs at trial conclusion.

The following people submitted written testimony to the committee:

Ronald Frantz, President of the Prosecuting Attorneys Association of Michigan, submitted written testimony in opposition to HB 5153.

David Christensen, representing the Michigan Trial Lawyers Association, submitted written testimony expressing significant concerns over certain provisions of HB 5143, HB 5153, HB 5548, HB 5143 and HB 5153.

Carolynne Jarvis, Executive Director, Michigan Partnership to Prevent Gun Violence, submitted written testimony in opposition to HB 5143, HB 5153 and HB 5548.

Due to time constraints the following people were unable to testify.

Kathryn Ross, a member of the Michigan Chapter of the Million Mom March, submitted written testimony in opposition to HB 5143, HB 5142 and HB 5153.

Kathy Frank, a life long Michigan resident, submitted written testimony in opposition to the bills.

Je Donna Dinges, a citizen of Detroit, submitted written testimony in opposition to HB 5142, HB 5143, HB 5153 and HB 5548.

Neva Li, representing herself, submitted written testimony in support of the bills.

There being no further business to come before the committee, the Chair adjourned the meeting at 12:08 p.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 38 Minutes